

Officer Involved Shooting of Vinson Ramos
Bell Police Department

Officer Rolando Carranza, #202

Officer Georg Balandran, #191

Officer Jose Garcia, #209

J.S.I.D. File #16-0340



JACKIE LACEY

District Attorney

Justice System Integrity Division

August 7, 2017

MEMORANDUM

TO: CHIEF CARLOS ISLAS
Bell Police Department
6326 Pine Avenue
Bell, California 90201

CAPTAIN CHRISTOPHER BERGNER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Officer Involved Shooting of Vinson Ramos
J.S.I.D. File #16-0340
B.P.D. #16-2768
L.A.S.D. File #016-00073-3199-013

DATE: August 7, 2017

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 7, 2016, fatal shooting of Vinson Ramos by Bell Police Department (BPD) Officers Rolando Carranza, Georg Balandran and Jose Garcia. We have concluded that Officers Carranza, Balandran and Garcia acted lawfully in self-defense and the defense of others.

The District Attorney's Command Center was notified of the shooting at 9:45 a.m. on July 7, 2016. The District Attorney Response Team responded to the location. They were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, firearms analysis reports, photographic evidence and witness statements submitted to this office by Los Angeles County Sheriff's Department (LASD) Homicide Sergeant Kenneth Clark and Detective Eduardo Aguirre. The compelled statements of Officers Carranza, Balandran and Garcia were considered in this analysis.

FACTUAL ANALYSIS

On July 7, 2016, at approximately 8:19 a.m., City of Bell police officers were dispatched to the Jack in the Box, located at 4525 Florence Avenue, after employees and patrons reported observing a man with a knife, later identified as Ramos, pushing and blocking the path of a pregnant woman, later

identified as Janely M[REDACTED], who had a young child with her.¹ The two were arguing as he followed her while she was walking with her son westbound on Florence Avenue. When she entered Jack in the Box with her son, Ramos followed her and continued to argue and push her. M[REDACTED] walked with her son out of Jack in the Box and westbound on Florence Avenue to the 7-11 located in an adjacent strip mall on the northeast corner of Florence Avenue and Atlantic Avenue. In the parking lot of the 7-11, Ramos and M[REDACTED] continued arguing. Witnesses observed Ramos pushing M[REDACTED], who was visibly pregnant, and called 9-1-1.²

Officer Carranza was the first officer to arrive at the location.³ As he drove westbound on Florence Avenue, he was flagged down by witnesses in front of Jack in the Box, who told him that a man with a knife was chasing a woman and just went inside the 7-11. Carranza drove toward the driveway of the 7-11 on Florence Avenue, [REDACTED]. Carranza did not pull into the driveway, but instead parked his patrol vehicle facing westbound along the north driveway entrance of the 7-11 parking lot [REDACTED].

Carranza yelled at Ramos [REDACTED]. Carranza yelled, "Hey, put the knife down" several times. [REDACTED]. Ramos started yelling, "Oh, fuck you. Fuck you. Come and take it. You ain't taking it. Come and take it."⁴ Carranza repeated his order several times to put the knife down. A civilian witness yelled to Ramos, "Hey, just listen to the officer. Put the knife down. Put the knife down." Ramos refused to drop the knife. During this time, M[REDACTED] was moving closer to Ramos [REDACTED]. Carranza repeatedly told M[REDACTED], "Just stay away! Stay away!" Ramos began to approach Carranza's vehicle [REDACTED].

M[REDACTED] walked with her son into the 7-11. Ramos immediately rushed inside the store following M[REDACTED]. [REDACTED]. Carranza broadcasted his observations that the male and female went into the 7-11, and there was a possible hostage situation inside.

¹ At the time of the incident, Janely M[REDACTED] was eight months pregnant with Ramos' child. The two lived in an apartment together with M[REDACTED]'s five-year-old son, L[REDACTED]. M[REDACTED] had left the apartment with L[REDACTED] to get away from Ramos after the two argued about money that she was missing.

² Several witnesses, including employees from Jack in the Box and 7-11, called 9-1-1 to report a man with a knife pushing and blocking the path of a visibly pregnant woman.

³ Carranza was working patrol in a single-man unit, a black and white Ford Explorer. Carranza was in full uniform and was armed with a department authorized Heckler & Koch, .45 caliber semiautomatic firearm. He also carried a Taser and pepper spray.

⁴ Carranza used his radio to call in "906. Officer needs help."



Video of 7-11 entrance showing Ramos, M [REDACTED] and her son

At this point, Carranza moved closer to the 7-11 entrance, using a small silver parked car as cover.⁵ He continued to yell to Ramos, who was inside of the store, to come out. Ramos came out of the 7-11 holding the knife in his right hand. Ramos continued to scream, “Fuck you! Fuck you!” as Carranza repeatedly ordered him to drop the knife. Ramos walked back inside the 7-11 and then came out a second time.

Officer Balandran arrived at the location and parked his marked black and white Ford Explorer perpendicular behind the parked cars in the lot.⁶ Balandran assumed a position of cover at the passenger side of the silver Scion while Carranza moved to the rear of the Scion. Shortly thereafter, Officer Garcia arrived at the location, also driving a marked black and white Ford Explorer.⁷

Garcia parked his vehicle behind Balandran’s vehicle. [REDACTED]

[REDACTED] Garcia took a position of cover behind a black BMW that was parked two spaces to the left of the Scion.⁸ Garcia was behind and to the left of Carranza and Balandran.⁹ The officers repeatedly yelled, “Drop the knife!” Ramos re-entered the 7-11 store.

[REDACTED]

⁵ The silver parked vehicle is the Scion, shown in the photographs herein.

⁶ Balandran was in full uniform and was armed with a department authorized Glock model 17, 9mm semiautomatic firearm. He also carried pepper spray, a Taser and a collapsible baton.

⁷ Garcia was in full uniform and was armed with a department authorized Glock model 22, .40 caliber semiautomatic firearm. He also carried pepper spray and a Taser.

⁸ The black BMW, parked two spaces to the left of the Scion, was obscured in the photographs by the trashcan and the brick column.

⁹ Following Garcia’s arrival at the location, LASD Deputy Troy Krautkramer and BPD Officer James Dowdell arrived. They observed the suspect outside the 7-11 and heard Carranza, Balandran and Garcia yelling commands to drop the knife. Krautkramer and Dowdell witnessed the officer involved shooting but did not fire shots.



7-11 parking lot showing location of police vehicles

Ramos walked to the rear of the store still holding the knife. The officers began waving people out of the store. Customers ran out of the store. Some people in the store were blocked by Ramos from exiting and had moved to a back corner. [REDACTED]

[REDACTED] Ramos followed the woman out the glass doors. Once she cleared the area, Carranza and Balandran again screamed at Ramos, "Drop the knife!" Ramos replied, "Fuck you! I'm going to hell. Come and take it."



Video from inside of the 7-11 store showing Ramos holding the knife



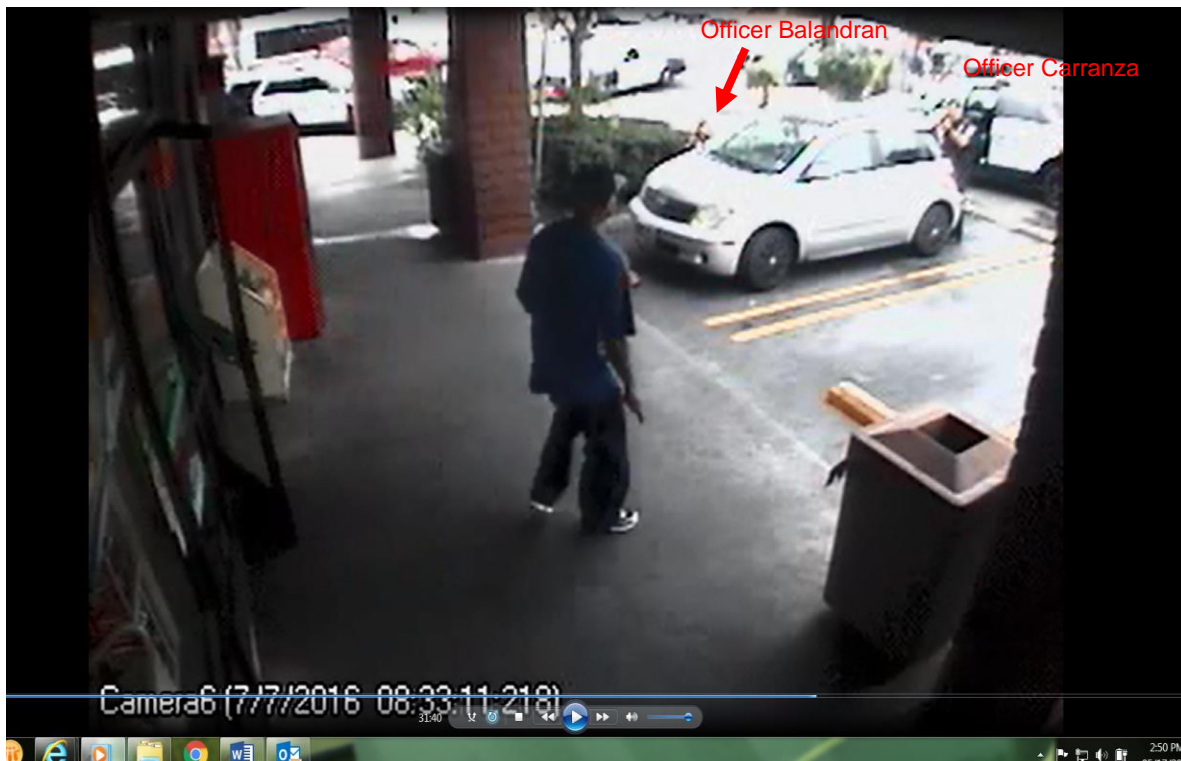
Video from inside of the 7-11 store showing Ramos holding the knife



Video showing customers running out of the 7-11



Video showing Ramos exiting the 7-11 for the third time



Video showing Ramos and officers' locations as Ramos begins to move toward officers



Ramos turned his body toward Balandran and began moving toward him.¹⁰

turned to the side in what appeared to be an attempt to re-enter the store, but fell onto the walkway outside of the 7-11 entrance. He dropped the knife on the ground and it was recovered in the area of the yellow concrete parking barrier.¹²



10 _____

11 [REDACTED]

7

¹³ The time stamp on the video appears to be ten minutes fast. Bell officers reported shots fired at 8:23 a.m.



Photographs showing location of knife

Officers placed handcuffs on Ramos and rendered aid. Los Angeles County Fire Department medical personnel received a call for service for a gunshot wound at 8:23 a.m. They arrived to the scene at 8:29 a.m. Upon arrival, medical personnel found Ramos to be pulseless and not breathing. Ramos was transported to Saint Francis Medical Center in the City of Lynwood. Medical personnel performed CPR and BVM ventilation en route to the hospital.¹⁴ Ramos was in cardiac arrest on arrival to the hospital. Doctor Tchaka Shepherd pronounced Ramos dead at 8:52 a.m.

Forensic investigators recovered eight fired cartridge cases from the scene. Three Winchester .45 auto cases were consistent with Carranza having fired three shots; three Winchester .40 Smith & Wesson cases were consistent with Garcia having fired three shots; and two Winchester 9mm Luger cases were consistent with Balandran having fired at least two shots.

AUTOPSY AND TOXICOLOGY

On July 13, 2016, Doctor Keng-Chih Su, Deputy Medical Examiner with the Los Angeles County Department of Coroner, performed an autopsy on Ramos and determined the cause of death to be multiple gunshot wounds. The autopsy revealed ten gunshot wounds, which leads to an inference that Balandran fired at least four shots.¹⁶

The ten gunshot wounds were identified as follows: Nine non-fatal gunshot wounds to the left chest, right chest, left abdomen, right arm, left arm, left thigh and left lower leg; one fatal gunshot wound to the head which resulted in bleeding from the right external carotid artery with

¹⁴ BVM is “bag valve mask” ventilation, used to provide oxygenation and ventilation in emergency situations.

¹⁵ [REDACTED]

¹⁶ However, according to Dr. James Ribe, Deputy Medical Examiner, it is possible for the same bullet to pass through an arm and cause a “re-entrance” gunshot wound in another part of the body.

hypovolemic shock.¹⁷ This wound was a through and through shot in which the bullet entered the left cheek and exited the right upper lateral neck. It is undetermined which officer fired this shot because no projectile was found. During the autopsy, one deformed medium caliber copper jacketed metal bullet was recovered at the right abdominal wall.¹⁸ A second projectile was removed from the right lateral lower leg, however, it was determined to be an old projectile and unrelated to this incident. A toxicology analysis of the blood contained in the heart revealed the presence of methamphetamine, amphetamine and a marijuana metabolite.¹⁹

WITNESS STATEMENTS

Deputy Troy Krautkramer

LASD Deputy Troy Krautkramer was working patrol in the area adjacent to the City of Bell. On the day of the incident, he heard the radio call of a male, armed with a knife, chasing a female northbound on Atlantic Avenue from Florence Avenue. Krautkramer responded to the location. Upon arrival, he saw at least two BPD patrol vehicles in the parking lot in front of the 7-11. He saw a uniformed BPD officer standing near the entrance to the 7-11.²⁰ Krautkramer parked his vehicle on Florence Avenue, near the south entrance of the strip mall. He then saw another BPD officer standing between a vehicle and a planter bed.²¹ That officer was pointing his firearm at a male adult, Ramos, who was armed with a knife and was standing near the entrance to the 7-11.²² Krautkramer heard an officer order Ramos to drop the knife to the ground. Ramos ignored the commands and used profanities toward the officer. As the officer continued to give commands, Ramos continuously moved side to side and forward and back. Ramos appeared to be very angry and under the influence of a drug. Krautkramer heard Ramos say something to the officer like, "I'm going to fucking kill you."²³ The officer continued to order Ramos to drop the knife, but Ramos ignored all commands.

Additional BPD officers arrived at the location. Several customers ran out of the 7-11. Ramos walked inside the 7-11 and then immediately came out. BPD officers continued to tell Ramos to drop the knife. However, Ramos ignored the orders and took one or two steps in a "lunge" toward one of the officers giving commands. Krautkramer saw that officer fire multiple shots at Ramos, who fell to the ground.²⁴ Krautkramer heard approximately ten shots fired. BPD officers approached, searched Ramos for weapons and rendered aid. Krautkramer called in the officer involved shooting and began assisting with traffic control.

¹⁷ Hypovolemic shock is the condition that results from blood loss.

¹⁸ This projectile was from a non-fatal gunshot to the abdomen. It is undetermined which officer fired this or any of the shots.

¹⁹ Methamphetamine was detected at 660 nanograms per milliliter. Amphetamine was detected at 300 nanograms per milliliter. Because amphetamine is a metabolite of methamphetamine, it is unknown whether amphetamine was ingested separately, in addition to methamphetamine, or if it represents the methamphetamine that had metabolized in the body.

²⁰ It is unknown whether this BPD officer was Carranza or Balandran.

²¹ Video footage shows Carranza next to a planter bed area, but Balandran may also have been next to the planter at some point.

²² Krautkramer stated the knife was in Ramos' left hand, but the video shows it in his right hand.

²³ Krautkramer did not remember Ramos' exact words.

²⁴ It is unclear from Krautkramer's statement which officer he saw firing at Ramos.

When asked if it would have been prudent for any of the officers to try to approach Ramos in his agitated state, Krautkramer replied, “No. He would have tried to tear them apart. He would have done everything...appeared to do everything he could to attempt to hurt somebody.”

Officer James Dowdell

BPD Officer James Dowdell responded to a call of a man chasing a woman with a knife. When he arrived at the scene, he observed BPD officers in the 7-11 parking lot and an LASD deputy standing by the driveway on Florence Avenue. Dowdell parked his patrol vehicle on Florence Avenue. As Dowdell exited his vehicle, he heard commands being yelled. He saw Ramos in front of the glass doors of the 7-11 waving his arms and yelling.²⁵ Ramos moved toward the officers and then retreated, and almost instantaneously went toward one of the officers that was kneeling behind a silver car.²⁶ As Ramos approached the officer, Dowdell heard gunshots. Dowdell broadcasted that an officer involved shooting had occurred.

Victor S

Victor S had arrived at the location at approximately 8:00 a.m. to meet Juan G for breakfast at the 7-11.²⁷ S parked his truck directly in front of Subway, which is in the same strip mall as the 7-11.²⁸ They sat inside S's truck eating sandwiches and drinking coffee they purchased at the 7-11. When S prepared to leave the location, he could not back out because a man, later identified as Ramos, a pregnant woman and a small child were standing behind his truck. Ramos and the woman were arguing. S said the woman was trying to leave the location without Ramos but he was preventing her from leaving. S watched Ramos, the woman and child via the side mirrors and rear view mirror of his truck. Ramos was blocking the woman's path by getting in front of her every time she tried to walk away. This occurred numerous times over a period of two to three minutes. S heard Ramos curse at the woman and heard her reply, “Let me go.”

S saw a police vehicle arrive at the location and observed Ramos become very agitated at the presence of the arriving police officer. S heard the woman say, “Don't do it, Don't do it,” as she positioned herself between the police officer and Ramos. S saw Ramos retrieve a knife from his right front pocket and begin cursing at the officer, saying, “You're not going to do anything.”²⁹ Ramos held the knife in his right hand with the blade pointed upward.

Watching from his passenger window, S saw the police officer on Florence Avenue exit his police car, draw his handgun and point it at Ramos. S heard the officer yell to the woman, “Get out of the way!” Ramos continued to angrily yell at the officer, “Fuck you! I'm going to fuck you up! Do it! Do it!” S believed Ramos was taunting the officer to shoot him or take some kind of action. S then saw the woman quickly walk into the 7-11 with the child. Ramos, still armed with the knife, walked into the 7-11 for a few seconds and then walked back outside. Ramos yelled at the officer, “Shoot me! Shoot me!” S said Ramos was raising his arms above his head,

²⁵ Dowdell was not focused on Ramos' hands and did not know he had a knife until after the incident when he saw a knife five feet from where Ramos had fallen.

²⁶ It is unknown whether Dowdell is referring to Carranza or Balandran.

²⁷ Juan G was interviewed separately, and recounted very similar observations as S.

²⁸ Subway is located on the north side of True Rate Insurance, which is adjacent to the 7-11.

²⁹ S described the knife as twelve inches in length with an approximate six-inch blade.

wildly flailing them around in an aggressive and violent manner, with the knife still in his right hand.

S■■ wanted to leave the location because he felt like something bad was going to happen, but his truck was blocked by other police officers' vehicles that had arrived at the location. Ramos walked back into the 7-11. At this time, patrons of the store came running out looking scared. Ramos then exited the 7-11 again and began yelling at the officers that had arrived. Officers instructed Ramos to drop the knife and get on the ground; however, he ignored their commands and entered the 7-11 a third time. Seconds later, Ramos exited the 7-11 and paused a few feet in front of the doors before he started to walk toward the police officer that was on Florence Avenue.³⁰ Ramos was violently and aggressively flailing his arms around, with the knife in his right hand, as he walked toward the officer. Ramos shouted, "Fuck your mother! You're not going to do anything. Do it! Do it! Do it!" S■■ continued to hear the officers give Ramos commands to, "Drop the knife!" and "Get down!" S■■ heard several gunshots and saw Ramos struck by gunfire. Ramos collapsed and officers handcuffed him. A short time later paramedics arrived and performed emergency medical treatment.

S■■ told investigators that he believed Ramos was possibly under the influence of drugs because of his behavior. S■■ was unable to provide details about which officer shot Ramos because his attention was focused primarily on Ramos during the incident and not the officers.

Jorge R■■

Jorge R■■ and his two brothers were walking from their vehicle into Subway, when he noticed Ramos and a woman arguing in the parking lot. Ramos was agitated and speaking in a loud tone of voice. He was aggressive toward the woman, who was holding the hand of a small boy. R■■ was concerned for the woman and the child, and thought that someone should call the police.

The woman was trying to walk away from Ramos, but he kept stepping in front of her to block her movements. When she would change direction, he would again step in front of her and bump her repeatedly. Ramos was significantly larger than the woman. R■■ and his brothers made their purchases from Subway and exited the restaurant. R■■ saw Ramos and the woman continue to argue in the parking lot, now in front of the doors of the 7-11. R■■ and his brothers stood by their car and continued to watch the incident. When a police officer arrived, the woman repositioned herself in between Ramos and the officer, while shouting to the officer, "Stop. Don't do anything!" She extended her arm toward Ramos, with her palm extended toward his chest, as if to keep him from walking toward the officer. A few seconds later, the woman and child walked into the 7-11.

Ramos entered and exited the 7-11 several times. Ramos paced around the outside of the 7-11 front doors. R■■ saw that Ramos had a knife with a 4-5 inch blade in his right hand. The officer pointed his gun at Ramos and commanded him to put the knife down. Ramos aggressively replied, "Shoot me! Shoot me! Kill me! I want to die! I'm going to die anyway!" Ramos refused to drop the knife and entered the 7-11 for a few seconds and came back out. The officer repeatedly ordered him to drop the knife. Ramos was flailing his arm around above his head and repeated the statements, "Shoot me! Kill me! I'm going to die anyway!" Ramos walked back inside the 7-11

³⁰ It is unclear which officer S■■ is referring to, but the video shows Ramos advancing toward Balandran.

and walked out a few seconds later. He still had the knife in his right hand and displayed the same aggressive behavior. The officer repeated his commands to put the knife down. Ramos continued to verbally challenge the officer, paced back and forth toward the officer, and refused to comply with the officer's commands. By this time, additional officers had arrived in the parking lot. Robles' view was partially obstructed by police vehicles. Robles was still able to see Ramos, who quickly walked toward the officer. Robles heard approximately 6-7 gunshots and saw Ramos fall to the ground.

Ana G [REDACTED]

Ana G [REDACTED] was inside of the 7-11 getting coffee when she saw Ramos enter the store. He was with a woman and appeared agitated. G [REDACTED] saw Ramos holding a knife and became scared. The cashier told her and other customers to exit the store through rear door. Fearing for her safety, G [REDACTED] followed the cashier toward the back door but then noticed Ramos was behind her. Ramos asked her, "Where's the exit?" G [REDACTED] was afraid to turn around to look at Ramos, but noticed that he turned and walked back toward the front of the store. G [REDACTED] heard Ramos say, "It all ends here." As G [REDACTED] exited the store through the rear door, she heard Ramos arguing with someone outside the front doors. She heard the words, "Drop it, Drop it," and heard two or three gunshots. She did not know who was giving the commands and did not witness the shooting.

William J [REDACTED]

William J [REDACTED] was on a cell phone talking to his mother when the incident occurred. He told investigators that he was a few feet away from where the shooting occurred. J [REDACTED] saw and heard officers order Ramos to get on the ground and drop the knife. Ramos "lunged" at the officer and then the officers fired their weapons.

Toni G [REDACTED]

Toni G [REDACTED], a reporter for NBC 4 News, was at Starbucks on the northwest corner of Florence Avenue and Atlantic Avenue, across the street from the 7-11, when the shooting occurred. Prior to the shooting, G [REDACTED] and her co-worker, a news photographer, were inside Starbucks purchasing coffee. As she walked outside, G [REDACTED] heard the sound of two people yelling in the 7-11 parking lot, across the street. She kept walking to her news van until she heard a man's and a woman's voice.

G [REDACTED]'s attention was drawn to the 7-11, and she saw three men walk out the 7-11 door. Five or ten seconds later, she saw a man yelling at someone as he was pacing back and forth in front of the store. G [REDACTED] also heard a woman's voice, possibly yelling. G [REDACTED] walked back inside Starbucks to get the keys to the news van from her photographer.³¹ Upon exiting Starbucks, G [REDACTED] saw a police vehicle driving into the 7-11 parking lot. G [REDACTED] reentered Starbucks and when she exited, she saw a police officer pointing his gun toward Ramos who was in front of the 7-11.

Three or four people ran out of the 7-11, while more patrol cars and a Sheriff's vehicle drove up to the 7-11 parking lot. She saw Ramos pacing back and forth, "gesturing in that whole gang, hands in

³¹ The news photographer was inside Starbucks for the duration of the incident.

the air, thumping the chest” manner and directing his comments to the two officers who had guns drawn on him.”³² Some people were exiting the store and running past Ramos to get away from the situation. Some people ran toward the officers. G■■■■ began to cross the street toward the 7-11, but as she got closer to the activity, she realized it was an unsafe situation. G■■■■ heard a verbal exchange between Ramos and the officers, but did not know what was being said. G■■■■ became scared and turned around and “hid” behind a palm tree that was nearby. As she stood by the tree, G■■■■ heard Ramos tell the officers, “Do it. Do it. Shoot me.” She saw him flailing his arms in the air. Ramos took “maybe a step toward the officers.” G■■■■ heard the sounds of gunshots and saw smoke coming from the officers’ guns. Ramos fell to the ground outside the 7-11. G■■■■ told investigators that she could not see if Ramos had anything in his hands, but she later found out he was holding a knife. G■■■■ described Ramos as “agitated and very pissed off.” G■■■■ immediately reported the officer involved shooting to her news station.

Nicolas S■■■■

On July 7, 2016, at approximately 7:50 a.m., Nicolas S■■■■ was eating inside of Jack in the Box. While seated at a table, S■■■■ observed a pregnant woman walking across Florence Avenue with a child, and Ramos walking behind them. The three entered Jack in the Box through the east door. The woman and child walked toward the bathrooms. Prior to her entering the bathroom, Ramos “jumped” in front of the woman and said something to her. S■■■■ could not hear what was said, but noticed that Ramos had taken a knife out of his pocket and was holding it in his right hand, at waist level, with the blade pointed at the woman. The woman said in a loud voice, “What are you doing? Stop it!” and then called out for someone to “Please call the police.” S■■■■ was worried for the safety of the woman.

S■■■■ continued to watch as the woman and child turned away from Ramos and walked toward the south door of Jack in the Box.³³ Ramos followed behind them. Once the three had exited the restaurant, S■■■■ called 9-1-1. S■■■■ continued to watch as Ramos and the woman and child walked back and forth on the Florence Avenue sidewalk and finally into the parking lot of the 7-11, adjacent to Jack in the Box. S■■■■ exited Jack in the Box and walked west toward the 7-11 to continue to watch. As he walked, S■■■■ spoke with the 9-1-1 operator and described Ramos. When S■■■■ reached the 7-11, he observed the woman and child trying to walk away from Ramos but Ramos followed them in every direction they went. At this time, S■■■■ could not see a knife in Ramos’ hand. While standing on the sidewalk to the south of the 7-11, S■■■■ saw a BPD vehicle driving west on Florence Avenue and coming to a stop near him. S■■■■ pointed out Ramos to the officer.

S■■■■ saw Ramos walk toward the officer’s car and start yelling at the officer. Ramos pulled out the knife and began waving it around as he yelled at the officer, “What are you going to do? Do something!” The officer ordered Ramos to drop the knife. Ramos refused and backed toward the 7-11 and out of S■■■■’s view. The officer drew his weapon and moved north into the parking lot, taking cover behind a parked car. At this time, other police vehicles arrived at the scene. S■■■■ was fearful to remain so close to the police officer and moved east, away from the 7-11. From this position, S■■■■ could no longer see Ramos. However, he continued to hear yelling from Ramos

³² G■■■■ was undecided about whether to photograph the incident herself because her news photographer was still occupied in Starbucks. She ultimately decided against taking pictures.

³³ The south door of Jack in the Box faces Florence Avenue.

and several officers ordering Ramos to drop the knife. S█████ was in a position to see only one officer fire his weapon “maybe three times.” This officer was the first officer that S█████ had seen at the location.³⁴ From his vantage point, Ramos was unable to see the other officers fire their weapons.

Janely M█████

Janely M█████ had been in a three-year relationship with Ramos at the time of the incident. M█████ was eight months pregnant with Ramos’ child and lived with Ramos and her five-year-old son, L█████, in the City of Bell.³⁵ M█████ and Ramos got into an argument in the morning when she discovered she was missing \$80.00 from her purse.³⁶ She and Ramos argued about the money for about an hour before she decided to leave the apartment. While Ramos was in the shower, M█████ told him she was going to leave him. She told investigators that they argued a lot. M█████ told investigators that Ramos always carries a folding blade knife that he uses for work. She had hidden the knife from him during their argument.³⁷

The argument continued after Ramos got out of the shower. Ramos left the apartment to purchase cigarettes and returned shortly thereafter. Ramos and M█████ continued to argue. She told him she was going to leave him. M█████ left the apartment with L█████. She and L█████ walked down Florence Avenue toward Jack in the Box. Ramos followed behind them acting extremely agitated and talking loudly. He told her that he had his knife.³⁸ M█████ told Ramos that “somebody will call the cops.” She and L█████ continued walking toward Jack in the Box with Ramos following them. M█████ was aware that people on the street were looking at them. She pleaded with Ramos several times to leave her alone but he would not. She shouted in front of people for him to leave her alone.

When they reached Jack in the Box, Ramos was right behind her so she went inside the restaurant through a side door. She continued to tell Ramos to get away and leave her alone. Customers inside Jack in the Box were looking at them. M█████ walked through the restaurant with L█████, heading toward the door that led outside toward the 7-11 next door. Ramos told her not to leave him, but she kept walking to get away from him.

M█████ described Ramos as “frustrated,” and told investigators that he had the knife but did not threaten her with it.³⁹ Ramos kept saying, “Just go back to the apartment with me.” M█████ became frightened by this time. She kept pleading with him to leave her alone and just go home, but he refused. M█████ continued to notice people looking at them.

³⁴ Carranza was the first officer on the scene.

³⁵ M█████ described Ramos as a “good guy,” but admitted that he was a known gang member who used the moniker, “Grumpy.” Ramos had gang tattoos on his face, neck, arms, hands and chest.

³⁶ M█████ stated she did not think Ramos had stolen her money. M█████ was very reluctant to tell investigators whether Ramos acted violently toward her and began to cry when asked about his demeanor during their argument. M█████ ultimately admitted that Ramos had serious anger issues.

³⁷ She told investigators that she hid the knife “to mess with him.”

³⁸ M█████ explained that L█████ had found the hidden knife and returned it to Ramos. M█████ denied that Ramos threatened her with the knife.

³⁹ Throughout the interview, M█████ blamed herself for their arguments by making comments such as, “I get really hormonal,” and “I get attitudes during my pregnancy.” She denied that Ramos had ever hit her in the past and repeatedly blamed herself for “getting mad at little things.”

Once they reached the front of the 7-11, M█████ saw a police officer drive up. She speculated that the officer had seen them arguing and told Ramos, “Let’s go. Let’s just walk away,” but he told her, “No.” At this time, M█████ thought she heard the officer say something to Ramos but she did not know what he said. She tried to grab Ramos to go into the 7-11 with her, but he would not. She begged him to come with her, but he would not listen to her.

The officer was by his car on Florence Avenue talking to them. The officer said, “Ma’am, you need to get away from him.” M█████ told investigators Ramos was smoking a cigarette and facing the police officer.⁴⁰ M█████ took her son and went inside the 7-11, believing it would be safe. M█████ and L█████ walked straight to the rear of the store, entered the bathroom, and locked the door. She heard several gunshots but did not see the shooting.

Other Witnesses

There were several more civilian witnesses that observed different portions of the events leading up to, during, and after the officer involved shooting. These witnesses provided statements to investigators that are consistent with the aforementioned witness statements.⁴¹

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

The right of self-defense is the same whether the danger is real or apparent. If a person acted from reasonable and honest convictions he cannot be held criminally responsible for a mistake in the actual extent of the danger, when other reasonable men would alike have been mistaken. *People v. Jackson* (1965) 233 Cal. App. 2d 639. In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. *See also*, CALCRIM No. 3470.

The “reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” The reasonableness of the force used “requires careful attention to the facts and circumstances” of the particular incident. *Graham v. Connor* (1989) 490 U.S. 386, 396-397. “[T]hus, under *Graham*, we must avoid substituting our personal notions of proper police procedure for the instantaneous decision of the officer at the scene. We must never allow the theoretical, sanitized world of our imagination to replace the dangerous and complex world that

⁴⁰ It is unclear from the video whether Ramos was holding a cigarette.

⁴¹ Yareli P█████ saw Ramos pushing M█████ in Jack in the Box and watched as the couple moved to the area of the 7-11. She stated Ramos was 15 feet away from an officer and was shot when he moved toward the officer. P█████ said, “The cop had every right to do what he did. I would have done the same thing.”

policemen face every day. What constitutes ‘reasonable’ action may seem quite different to someone facing a possible assailant than to someone analyzing the question at leisure.” *Smith v. Freland* (6th Cir. 1992) 954 F, 2d 343, 347.

CONCLUSION

The evidence examined in this investigation shows that Vinson Ramos was armed with a knife at the time the officers arrived on scene. After ignoring continuous orders to drop the knife, Ramos advanced on Officer Balandran in an aggressive and threatening manner. The entire incident is captured on video surveillance and shows the close distance that Ramos was to both Balandran and Carranza at the time the officers shot him. Furthermore, Ramos posed an imminent deadly threat to the customers in the 7-11, as they can be seen on the video running out of the store seconds before he exited. [REDACTED]

[REDACTED] After a thorough analysis, we conclude that Officers Carranza, Balandran and Garcia acted lawfully in self-defense and the defense of others. We are closing our file and will take no further action in this matter.